

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 2:10-CR-073
)	
ADAM M. MILLER)	

MEMORANDUM AND ORDER

This criminal case is before the court on the parties' amended joint motion [doc. 18] for a continuance of the defendant's November 29, 2010 trial date [doc. 18]. In support of the motion, the parties in material part advise the court that they "are continuing to engage in plea negotiations, and additional time is necessary to determine whether a proposed plea agreement, or a variation of the proposed plea agreement, will be signed and filed with the court."

The motion will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The court finds that the failure to grant a continuance would deny the parties' counsel the reasonable time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv). The motion requires a delay in the proceedings. Therefore, all the time from the filing of the motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

It is therefore **ORDERED** that the amended motion for a continuance [doc. 18] is **GRANTED**, and this criminal case is **CONTINUED** to Wednesday, **February 9, 2011, at 9:00 a.m.** The motion deadline is reset to January 5, 2011, and the deadline for the filing of a plea agreement is reset to January 28, 2011. The parties' original motion to continue [doc. 17] is **DENIED AS MOOT**.

ENTER:

s/ Leon Jordan
United States District Judge